

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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U.S. COMMODITY FUTURES	:	
TRADING COMMISSION,	:	
	:	16-CV-4120 (VEC)
Plaintiff,	:	
	:	NOTICE OF PLAINTIFF'S MOTION
-against-	:	FOR SUPPLEMENTAL ORDER OF
	:	STATUTORY AND EQUITABLE RELIEF
HAENA PARK, YUL KASEMAN,	:	AGAINST HAENA PARK, PHAETRA
PHAETRA CAPITAL GP LLC a/k/a	:	CAPITAL GP LLC, PHAETRA CAPITAL
ARGENTA CAPITAL GP LLC,	:	MANAGEMENT LP, AND ARGENTA
PHAETRA CAPITAL MANAGEMENT	:	GROUP LLC
LP a/k/a ARGENTA CAPITAL LLC, and	:	
ARGENTA GROUP LLC,	:	
	:	
Defendants.	:	
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PLEASE TAKE NOTICE THAT, upon the accompanying Memorandum of Law dated March 9, 2018, Plaintiff Commodity Futures Trading Commission ("Commission") will move this Court, before the Honorable Valerie E. Caproni, United States District Judge, Southern District of New York, at a time and date set by this Court, at the Thurgood Marshall Courthouse, 40 Foley Square, New York, New York, for a supplemental order of statutory and equitable relief against Defendants Haena Park ("Park"), Phaetra Capital GP LLC, Phaetra Capital Management LP, and Argenta Group LLC (collectively, "Corporate Defendants" and, together with Park, "Park Defendants").

Pursuant to Section 6c of the Commodity Exchange Act ("Act"), 7 U.S.C. §13a-1 (2012), and the Consent Order for Permanent Injunction and Other Relief Against Haena Park, Phaetra Capital GP LLC, Phaetra Capital Management LP, and Argenta Group LLC entered by this Court on February 7, 2018 ("Consent Order", ECF No. 50), the Commission requests entry of a supplemental order: 1) ordering Park Defendants to pay, jointly and severally, restitution in the

amount of \$22,912,796, to be offset by the amount of restitution paid by Defendant Park pursuant to the Order of Restitution in *United States v. Park*, 1:16 Cr. 473 (RA) (S.D.N.Y. Nov. 9, 2017) (Docket No. 47); and 2) imposing a civil monetary penalty (“CMP”) of \$5,220,000 against Park Defendants jointly and severally. Such an order would resolve the only remaining issues in this case and, combined with the Consent Order, would resolve all aspects of the Commission’s case against Park Defendants. As explained in the Commission’s Memorandum of Law, a \$5,220,000 CMP is appropriate in light of the serious nature of Park Defendants’ unlawful conduct.

Dated: March 9, 2018

Respectfully submitted,

s/Greta G. Gao

Greta G. Gao (*pro hac vice*)

Luke B. Marsh (*pro hac vice*)

Commodity Futures Trading Commission

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